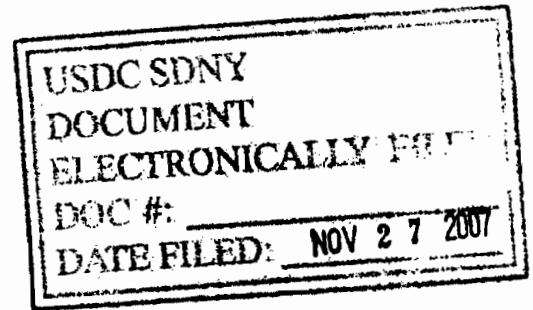


Swamy



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MOSHE MILSTEIN and
JOHN J. OKON,

Plaintiffs,

v.

FEDERAL BUREAU OF PRISONS,
HARLEY LAPPIN, as Director of the
Federal Bureau of Prisons, J.M. KILLIAN,
as Warden, Federal Prison Camp at
Otisville, New York, and GLENN A.
FINE, as Inspector General for the
Department of Justice,

Defendants.

Case No. 07-Civ-7434 (LTS) (FM)

**STIPULATION AND ~~(PROPOSED)~~ ORDER
OF DISMISSAL WITHOUT PREJUDICE**

fr

WHEREAS, Plaintiffs filed a complaint in the above-captioned matter, styled as a class action, in response to the removal of certain religious materials from chapel libraries at federal prisons governed by Defendant Federal Bureau of Prisons (the "BOP");

WHEREAS, the removal of these religious materials was pursuant to a policy known as the Standardized Chapel Library Project ("SCLP");

WHEREAS, the SCLP is no longer in effect at BOP institutions;

WHEREAS, the BOP has directed its institutions to return the removed religious materials, and the institutions having confirmed compliance thereto;

WHEREAS, the parties dispute the propriety of class certification in this matter, and no class has been certified pursuant to Rule 23 of the Federal Rules of Civil Procedure; and

WHEREAS, this Stipulation contains the entire agreement between the parties and that there are no other formal or informal agreements between the parties,

IT IS HEREBY STIPULATED AND AGREED by and between the parties through their undersigned counsel, that, pursuant to Rules 23(e)(2) and 41(a)(2) of the Federal Rules of Civil Procedure, this action shall be and hereby is dismissed without prejudice, all parties to bear their own costs.

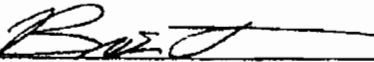
Dated: New York, New York
November 21, 2007

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP

By: 

Moses Silverman
Solomon N. Klein
1285 Avenue of the Americas
New York, New York 10019-6064
(212) 373-3000
Attorneys for Plaintiffs


MICHAEL GARCIA
UNITED STATES ATTORNEY FOR THE
SOUTHERN DISTRICT OF NEW YORK

By: 

Brian M. Feldman
86 Chambers Street, Third Floor
New York, New York 10007
(212) 637-2777
Attorneys for Defendants

SO ORDERED:

Dated: New York, New York
November 26, 2007



The Honorable Laura Taylor Swain
United States District Judge